

ASSEMBLY BILL

No. 611

Introduced by Assembly Member Fong

February 25, 2009

An act to add Section 8588.16 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 611, as introduced, Fong. Emergency services: populations with limited English proficiency.

Existing law, the California Emergency Services Act, requires the California Emergency Management Agency to coordinate the emergency services of all state agencies in connection with emergencies, and to establish a standardized emergency management system for use by all emergency response agencies.

This bill would require the Secretary of California Emergency Management to consider the multiple languages and needs of populations who have limited proficiency in the English language and to incorporate their needs in the curricula and scenarios related to critical emergency preparedness planning, response, and recovery training. The bill would also require the secretary to incorporate ethnic media and local ethnic community-based organizations and ethnic media outlets in communication plans to alert them about emergency information strategies and to use a registry of qualified bilingual persons in public contact positions, as defined, to assist in emergencies.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) Approximately 40 percent of the population in this state
4 speaks a language other than English at home. According to the
5 United States Department of Justice, individuals with limited
6 proficiency in English are those who have a limited ability to read,
7 write, speak, or understand English. In this state, more than
8 6,000,000 residents have limited proficiency in English.

9 (b) Recent disasters have highlighted the vulnerabilities of
10 individuals during an emergency who have limited proficiency in
11 English. At least 19,641 individuals within the Hurricane Katrina
12 and Hurricane Rita disaster areas spoke English with difficulty,
13 and a report presented to the Congressional Asian Pacific American
14 Caucus, highlighted the lack of evacuation orders during the
15 Hurricane Katrina disaster in any language other than English,
16 leaving individuals with limited proficiency in English vulnerable.

17 (c) In this state, wildfires in southern California struck parts of
18 cities having a significant population of individuals with limited
19 proficiency in English, potentially affecting almost 300,000 such
20 individuals. News reports highlighted the frustration and confusion
21 during evacuations for individuals unable to understand English.

22 (d) The Milton Marks “Little Hoover” Commission on California
23 State Government Organization and Economy has also highlighted
24 the need for developing plans to ensure that the needs of vulnerable
25 populations, including those with limited proficiency in English,
26 will be met during a catastrophe.

27 (e) This state, with its extraordinary language diversity, must
28 take steps to ensure emergency preparedness, response, and
29 recovery to address the needs of individuals with limited
30 proficiency in English.

31 SEC. 2. Section 8588.16 is added to the Government Code, to
32 read:

33 8588.16. (a) (1) The Secretary of California Emergency
34 Management shall take into consideration the multiple languages
35 and the needs of populations with limited English proficiency
36 during emergency preparedness planning, response, and recovery,
37 including when developing committee recommendations within
38 the Standardized Emergency Management System structure,

1 drafting guidance for local and regional governmental entities, and
2 reviewing emergency plans of state, regional, and local
3 governmental entities.

4 (2) Documents drafted for the purposes described in paragraph
5 (1) that are intended for emergency responders, including, but not
6 limited to, governmental entities do not have to be translated.

7 (3) Nothing in this section shall be construed to require changes
8 to existing documents until the time they are normally updated or
9 revised.

10 (b) The Secretary of California Emergency Management shall
11 incorporate ethnic media and ethnic community-based
12 organizations into the communication strategies that are developed
13 so that alert and warning information sent to these entities can be
14 more broadly disseminated to populations with limited English
15 proficiency.

16 (c) The Secretary of California Emergency Management shall
17 utilize a registry of qualified bilingual persons in public contact
18 positions, as defined in Sections 7296 and 7297, to assist with
19 emergency preparedness, response, and recovery pursuant to
20 Section 8595.

21 (d) The Secretary of California Emergency Management shall
22 incorporate the needs of populations with limited English
23 proficiency in the curricula and scenarios related to critical
24 emergency preparedness, response, and recovery training and
25 exercises, including the exercises identified in the statewide
26 exercise strategy and those related to crisis communications. For
27 other training and exercises, the needs of the populations with
28 limited English proficiency shall be incorporated to the extent
29 reasonable.